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May 5, 2010

BY ECF AND FAX (631) 712-5766

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United District Court
for the Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-9014

Re: Varney v. NYNEX Management Pension Plan, et al., No. 07-695 (LDW)(AKT)

Dear Judge Tomlinson:

The Verizon defendants, together with plaintiff, write to request a minor modification to the Court's schedule for the above-referenced ERISA action. On April 14, the Court granted the parties' first request to adjourn and reschedule argument on the appropriate scope of discovery in this case. Unfortunately, however, the Court rescheduled the argument for May 14, a date on which both plaintiff's counsel and counsel for the Verizon defendants have prior, unmovable commitments. Plaintiff's counsel is scheduled to attend an all-day seminar on May 14. Counsel for the Verizon defendants will be in Moscow, Russia between May 13 and May 18.

Accordingly, the parties respectfully request that the Court reschedule the current May 14 argument date for either the afternoon of **May 24**, or any time on **May 25-27** or **June 2-4**. Plaintiff's counsel and counsel for the Verizon defendants are both available on those proposed dates and will hold those dates open on their calendar pending notice from the Court. If none of those dates is convenient for the Court, the parties alternatively request that the Court schedule a telephonic status conference to set the argument date.

Thank you in advance for your time and attention to this request.

Sincerely,



Frederick G. Sandstrom

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The Honorable A. Kathleen Tomlinson

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cc: Peter Romero, Esq. (Plaintiff's counsel)
by ECF and fax to (631) 756-0547